



**US Army Corps  
of Engineers.**  
Philadelphia District  
Wanamaker Building  
100 Penn Square East  
Philadelphia, PA 19107-3390  
ATTN: CENAP-OP-R

# Public Notice

Public Notice No.  
**CENAP-OP-R-200401900-60**

Date  
**OCT 24 2006**

Application No.

File No.

In Reply Refer to:  
**REGULATORY BRANCH**

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

The purpose of this notice is to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit for the work described below.

APPLICANT: Town of Dewey Beach

AGENT: Bruce Jones  
Green Stone Engineering  
706 Philadelphia Pike  
Wilmington, DE 19809

WATERWAY: Rehoboth Bay

LOCATION: The eastern terminus of Read Avenue and Rehoboth Bay, situated in the Town of Dewey Beach, Sussex County, Delaware.

ACTIVITY: The applicant proposes to construct two (2) stone breakwaters, one (1) sand covered stone revetment, and create a sill within tidal water of the Rehoboth Bay. The proposed work activities would permanently fill approximately 0.13 acre of unvegetated tidal water. Of the total proposed fill area, .08 acre would be in the subtidal zone (below the mean low water elevation), .04 acre would be in the intertidal zone (between the mean low and mean high water elevations), and 0.01 acre would be in the supratidal zone (between the mean high water and high tide elevation). Additionally, the applicant proposes to remove two (2) existing 15" storm sewer pipes and install one (1) 18" storm sewer pipe within tidal water of the Rehoboth Bay. A description of the proposed work is shown on the attached plans E-1 through E-4.

PURPOSE: The purpose of the proposed project is to control erosion along the shoreline and to alleviate recurrent road flooding during high tides.

A preliminary review of this application indicates that the proposed work would not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the activity's probable impact including its cumulative impacts on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and welfare of the people. A Department of the Army permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the proposed work should be submitted, in writing, within 30 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

Review of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion therein are located within the permit area of the work.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect Essential Fish Habitat (EFH). A preliminary assessment of the species listed in the "Guide to Essential Fish Habitat Designations in the Northeastern United States, Volume IV: New Jersey and Delaware", dated March 1999, specifically page 81, indicates that the proposed project as stated in this public notice may have an adverse effect on the EFH of winter flounder (*Pseudopleuronectes americanus*). This office has determined that the adverse effects would be minimal provided work activities are restricted from January 1 through May 31. As the evaluation continues, additional information may become available which could modify this preliminary determination.

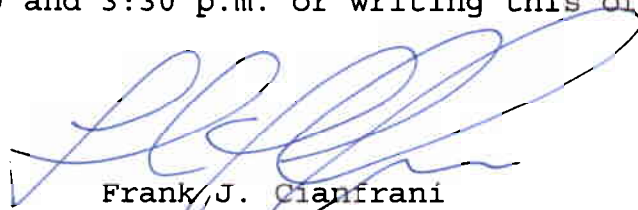
In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. The applicant has stated that the proposed activity complies with and will be conducted in a manner that is consistent with the approved State Coastal Zone Management (CZM) Program. No permit will be issued until the State has concurred with the applicant's certification or has waived its right to do so. Comments concerning the impact of the proposed and/or existing activity on the State's coastal zone should be sent to this office, with a copy to the State's Office of Coastal Zone Management.

In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary from the State government in which the work is located. Any comments concerning the work described above which relate to Water Quality considerations should be sent to this office with a copy to the State.

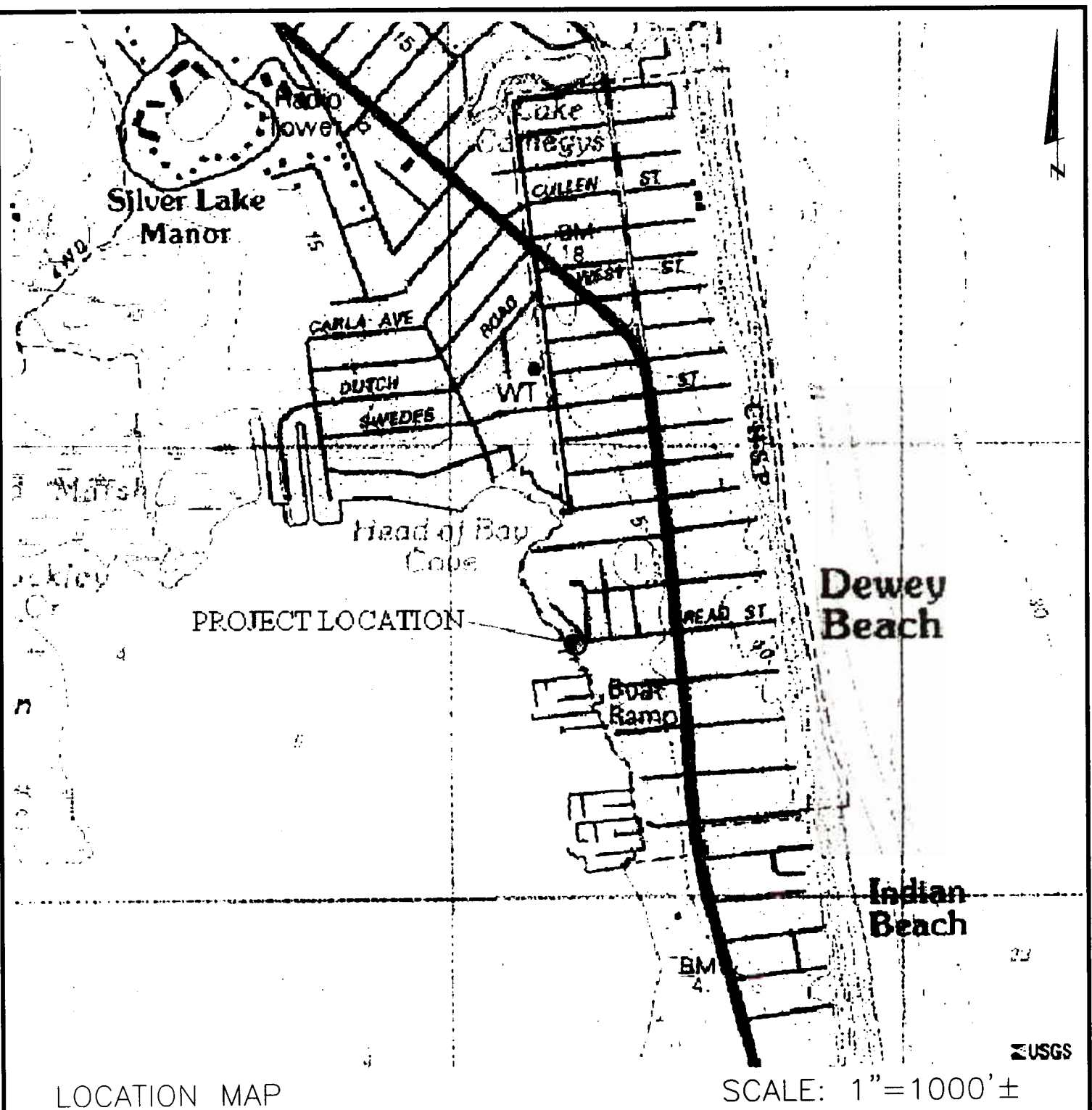
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act.

Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state in writing, with particularity, the reasons for holding a public hearing.

Additional information concerning this permit application may be obtained by calling Richard M. Fonorow at (215) 656-5957 between the hours of 1:00 and 3:30 p.m. or writing this office at the above address.



Frank J. Cianfrani  
Chief, Regulatory Branch

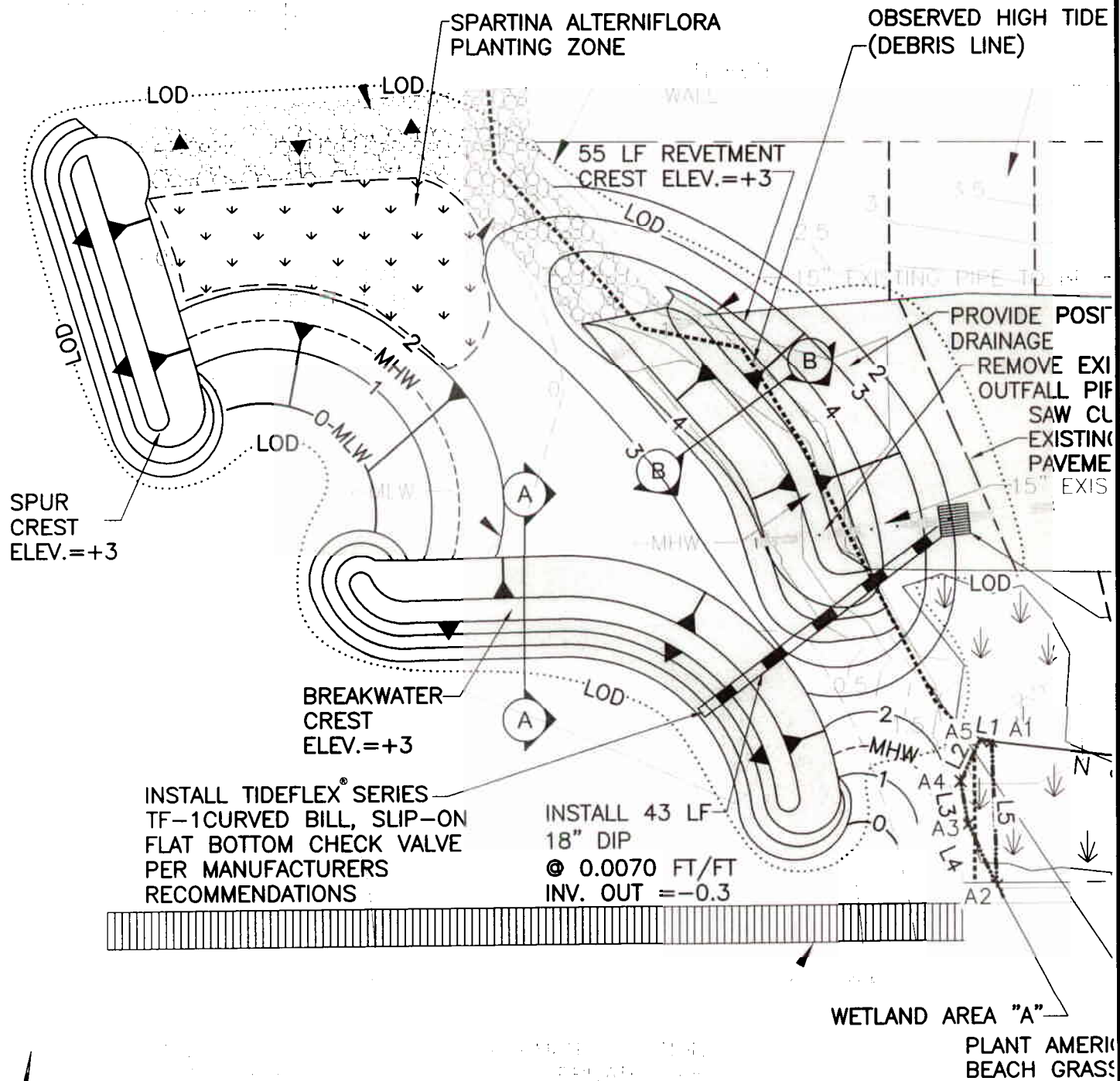


**Green Stone**  
ENGINEERING

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Suite 1  
Wilmington, DE 19809  
(302) 765-3150

532 S. Bedford St.  
Georgetown, DE 19947  
(302) 854-9450

SCALE 1"=1000'±	DEWEY BEACH, READ AVENUE SHORELINE STABILIZATION SUSSEX COUNTY, DELAWARE	REVISION 1
DESIGNED BJ		DRAWING
DRAWN JW	LOCATION MAP E-1	FIG-1
CHECKED JM		
DATE 9/26/2006		



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SCALE 1"=20'

DESIGNED BJ

DRAWN JW

CHECKED JM

DATE 9/26/2006

DEWEY BEACH, READ AVENUE SHORELINE STABILIZATION  
SUSSEX COUNTY, DELAWARE

PLAN VIEW OF PROPOSED IMPROVEMENTS

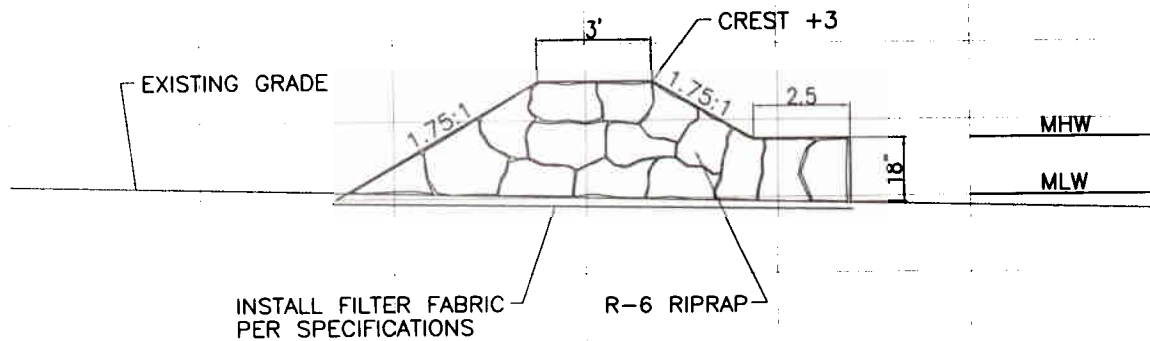
E-2

REVISION

1

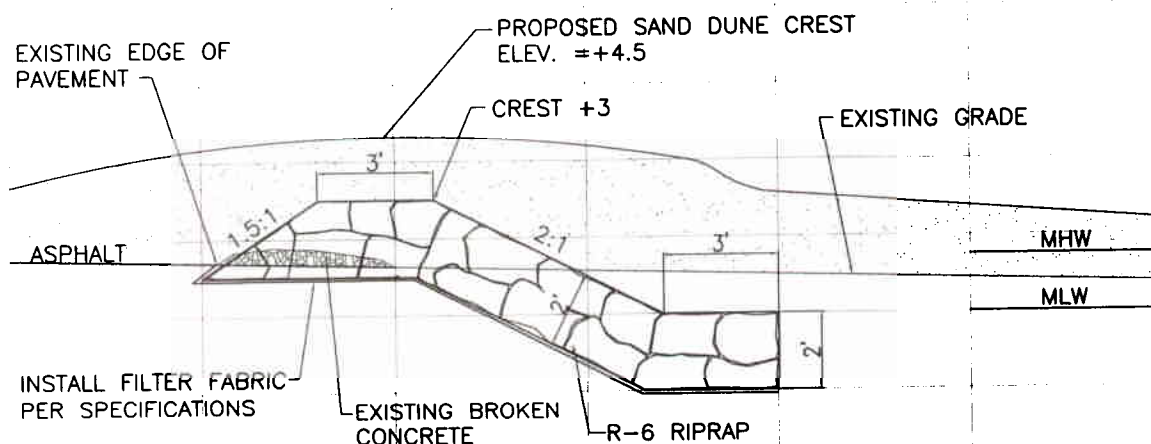
DRAWING

FIG-2



## SILL SECTION A-A

MHW = ELEV 1.5      MLW = ELEV 0.0



## REVETMENT SECTION B-B

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SCALE	1"=5'	DEWEY BEACH, READ AVENUE SHORELINE STABILIZATION SUSSEX COUNTY, DELAWARE	REVISION	0
DESIGNED	BJ	SECTION VIEWS OF PROPOSED IMPROVEMENTS <i>E-3</i>	DRAWING	FIG-3
DRAWN	JW			
CHECKED	JM			
DATE	9/26/2006			

# SEQUENCE OF CONSTRUCTION

## SHORELINE STABILIZATION WORK

1. NOTIFY DELEGATED AGENCY OF INTENT TO BEGIN CONSTRUCTION AND ARRANGE PRECONSTRUCTION MEETING.
2. ATTEND PRE-CONSTRUCTION MEETING.
3. INSTALL STABILIZED CONSTRUCTION ENTRANCE.
4. INSTALL MINIMAL SAND FILL, IF NEEDED, TO OBTAIN ACCESS TO THE END OF THE EXISTING GROIN.
5. REMOVE EXISTING STORM SEWER OUTFALL PIPE.
6. INSTALL SPECIFIED FILTER FABRIC AND CONSTRUCT SPUR AND BREAKWATER ROCK STRUCTURES, INSTALLING STORM SEWER PIPE WITH CHECK VALVE IN BREAKWATER AS THE PIPE INVERT ELEVATION IS REACHED. ALL STORM INLETS MUST BE PROVIDED WITH INLET PROTECTION AS APPLICABLE PER DETAILS SHOWN ON DETAIL SHEETS.
7. INSTALL SPECIFIED FILL AND GRADE AREA BETWEEN SILLS AND PROPOSED REVETMENT.
8. INSTALL SPECIFIED FILTER FABRIC AND CONSTRUCT REVETMENT ROCK STRUCTURE INCLUDING SAND DUNE TO BRING BEACH TO FINAL GRADE.
9. INSTALL PLANTS PER PLAN IN THE SPECIFIED PLANTING ZONE.

FILL VOLUME AND AREA BY TIDAL ZONE						
	SUBTIDAL		INTERTIDAL		SUPRATIDAL	
	VOLUME	AREA	VOLUME	AREA	VOLUME	AREA
	C.F.	S.F.	C.F.	S.F.	C.F.	S.F.
STONE	964	1465	3497	775	1046	272
SAND	1950	1880	7350	850	408	272
TOTAL	2914	3345	10847	1625	1454	544

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SCALE	NONE	DEWEY BEACH, READ AVENUE SHORELINE STABILIZATION SUSSEX COUNTY, DELAWARE	REVISION	0
DESIGNED	BJ		DRAWING	FIG-4
DRAWN	JW	SEQUENCE OF CONSTRUCTION & FILL AREA/VOLUME E - 4		
CHECKED	JM			
DATE	9/26/2006			